Racism, Law, and the Social Sciences

Laws 54303, Anth 55502, Spring, 2018
Prof. Christopher Fennell

Course Objectives

The domains of racism, law, and the social sciences impact one another in myriad ways. At times, a system of racism is deployed through law, which in turn shapes questions asked in the social sciences. In other instances, the sciences articulate conceptual frameworks that lead to the creation of new forms of racism within society and law. Particular systems of racism have operated across a spectrum from incidents of overt violence to the daily impacts of implicit biases. Our readings and class discussions will consider a sample of case studies from across the globe in addition to past and present dynamics in the United States. Analyses of the social construction of racial and ethnic identities have facilitated studies of the ways in which social differences are created, maintained, and masked. Subjects to be addressed in this course include the interrelation of racial ideologies with other cultural and social dimensions, such as class, ethnicity, gender, political and legal structures, and economic influences. At an international scale, policy makers confront the challenge of balancing calls for multicultural tolerance with demands for fundamental human rights. We will also consider the related histories of biological, genetic, and epigenetic concepts of different races within the human species.

Instructor: Chris Fennell (MA, U. Pennsylvania, 1986; JD, Georgetown U., 1989; Ph.D., U. Virginia, 2003) is Associate Professor of Anthropology & Law at the University of Illinois, and a Visiting Associate Professor of Law, University of Chicago.

This class meets in Classroom B of the Law School, 1111 East 60th Street, on Tuesdays and Fridays, 1:30pm to 3:15pm.

Office Hours: Tuesdays and Fridays, 3:15pm to 4:15pm, or by appointment. My office is Room 536 of the Law School; my cell phone is 312-513-2683, and email cfennell@uchicago.edu.

I have created a course web page using the Law School’s Canvas program. Class participants can access the course web page by logging onto the Canvas system for access to the course syllabus, reserve readings, and other online resources.

Course Structure

No prerequisite courses are required, and this course is designed to enable graduate students to analyze legal structures and to enable law students to understand and apply social theories and concepts in similar studies. Requirements for this course include thoughtful class participation (20%) and a final, eight-hour, take-home examination (80%). Barring illness or emergency, you are expected to attend each class session, to have done the reading, and to be ready and willing to discuss.
Class Readings

Texts


Articles on Electronic Reserve

The Class Schedule section of this syllabus provides a list of readings and sources for each class, which will be available in the two books listed above or in readings on electronic reserve in Canvas. Assigned articles and chapters on electronic reserve include:


# Class Schedule

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<th>Topic</th>
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| **Tuesday**<br>March 27 | **Course overview.**<br>The American Anthropological Association confronts race and racism.  
*Race: Are We So Different?* Chapters 1 and 2, creating a concept of race.  
Please read this book, published by the American Anthropological Association, with a critical eye. This text is one of the results of a several-million-dollar initiative by the AAA to address issues of race and racism. This multi-disciplinary project received funding support from the Ford Foundation and National Science Foundation, among other organizations. The initiative created a traveling museum presentation of interviews and related exhibits, this book, pedagogical materials, and in-depth web sites. Millions of visitors have engaged with the traveling exhibit at numerous museums nationwide. You can visit one version of the exhibit at the Chicago History Museum through July 15, 2018.  
As we will discuss in class, anthropology is a social science discipline with a great amount to atone for in the history of racism. A variety of scientists who can be categorized as anthropologists contributed to the promotion of racism in the United States in the late 1800s and early 1900s. This first book that we will examine in class provides an overview of biological, legal, and cultural concepts of racial categories, and represents a primary effort by the AAA in addressing the discipline’s historical entanglements with systems of racism. |
| **Friday**<br>March 30 | *Race: Are We So Different?* Chapters 3 and 4, race concepts and mismeasures of humanity. |
| **Tuesday**<br>April 3 | *Race: Are We So Different?* Chapters 5 and 6, inventing whiteness, domains separate and unequal. |
| **Friday**<br>April 6 | **Defining race and racism: From case studies to broader, analytic frameworks.**  
*Race: Are We So Different?* Chapters 7, 8, and 9, human biological variation, complexions, genomics.  
| **Tuesday**<br>April 10 | *Race: Are We So Different?* Chapters 10 and 11, human biological variation, complexions, genomics, and epigenomics.  
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<td>April 13</td>
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<td>April 17</td>
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<td>Friday</td>
<td>Racism, Native Americans, and struggles for sovereignty and identity.</td>
<td>Skull Wars: Kennewick Man, Archaeology, and the Battle for Native American Identity, chapters 1-6, names, images, scientific racism.</td>
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<td>April 20</td>
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<td>Tuesday</td>
<td>Skull Wars: Kennewick Man, Archaeology, and the Battle for Native American Identity, chapters 7-11, craniometrics, desecrations, assimilation, social evolution theories.</td>
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<td>April 24</td>
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<td>Friday</td>
<td>Populations, cultures, and sovereignty over tangible and intangible heritage.</td>
<td>Skull Wars: Kennewick Man, Archaeology, and the Battle for Native American Identity, chapters 12-17, distorted histories, debating migrations to the Americas, 1906 Antiquities Act.</td>
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<td>April 27</td>
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Tuesday May 8  Case studies of racism and discrimination against the Dalits of India and Roma of Europe.


Friday May 11  Case studies of race, color, and indigeneity in Latin America: Examples from Brazil, Cuba, Dominican Republic, Haiti, Mexico, and Puerto Rico.


Tuesday May 15  Nationalism, ethnicity, and racism in China, Singapore, and Myanmar.


Friday May 18  Xenophobia, immigration, and refugee abuses.


Concluding observations.

**Additional Resources**

If you are interested in reading further on particular topics, I have also compiled bibliographies of additional print sources and a list of internet resources related to subjects of racism, racialization, social science investigations of legal structures, and social norms. These source lists, with links provided below, are not required readings and are provided only as suggested, additional resources should you be interested.

**Sources on Racism, Law, and Social Sciences;**

**Sources on Anthropology and Law;**

**Sources on Social Norms and Law;** and

**Sources on Analysis of Social Group Identities.**

[last updated April 30, 2018]